

REMARKS

Claims 1-19 are pending. Upon entry of this amendment, claims 1-3 and 5-19 will be pending, claims 1-3 having been amended, claim 4 canceled, and claims 5-19 withdrawn.

Objections under 35 U.S.C. 132

The December 11, 2002 amendments to claims 1 and 2 were objected to as allegedly including new matter. The objected-to language has been canceled. The objections are therefore overcome.

Rejections under 35 U.S.C. 112, 1st Paragraph

Claims 1-4 were rejected as allegedly containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. The rejected language has been canceled. The rejections are therefore overcome.

Rejections under 35 U.S.C. 112, 2nd Paragraph

Claims 1-4 were rejected as being indefinite. The rejected instances of "film thickness" has been replaced with "thickness" to clarify that the thickness refers to the inorganic oxide layer. Thus, the rejections are overcome.

Rejections under 35 U.S.C. 102(b) and 103(a)

Claim 1 was rejected under 35 U.S.C. 102(b) as being anticipated by Misiano (U.S. Patent No. 5,462,779). Claim 2 was rejected under U.S.C. 103(a) as being unpatentable over Misiano. Claims 3 and 4 were rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Misiano.

Claim 1 as amended recites that the maximum thickness of the inorganic oxide layer is equal to or less than 1.5 times the minimum thickness of the inorganic oxide layer. In contrast,

Misiano does not disclose, either expressly or inherently, a film having a thickness ratio of less than 1.5. Therefore, claim 1 and dependent claims 2-3 are neither anticipated nor obvious over Misiano.

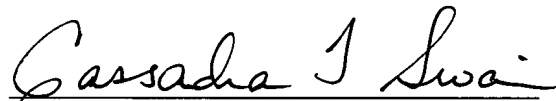
CONCLUSION

Applicants submit that the claims are allowable and an early and favorable action to that effect is respectfully requested. The Examiner is invited to contact the undersigned to discuss any matter related to this application. The Office is authorized to charge any fees under 37 C.F.R. 1.16 or 1.17 or credit any overpayment to Kenyon & Kenyon Deposit Account 11-0660.

Respectfully submitted,

KENYON & KENYON

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